

IN OPEN COURT

FEB 23 2012

CLERK, U.S. DISTRICT COURT
ALEXANDRIA, VIRGINIA

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

UNITED STATES OF AMERICA

v.

MELVIN ERALDO RAMIREZ,
a/k/a "Benigno A. Medrano Centano,"
a/k/a "Benigno Medrano-Centeno,"
a/k/a "Benigno Amilcar Centeno-Medrano,"
a/k/a "Benigno Medrano,"
a/k/a "Carlos Alberto Samayoa,"
a/k/a "Melvin Ramirez,"
a/k/a "Melvin E. Ramiez,"

Defendant.

Criminal Case No. 1:11-CR-584

Illegal Reentry
8 U.S.C. § 1326(b)(2)

STATEMENT OF FACTS

The United States and MELVIN ERALDO RAMIREZ, the defendant, agree that at trial the United States would have proven the following facts beyond a reasonable doubt with admissible and credible evidence:

1. The defendant is a native and citizen of El Salvador who has no valid claim to United States citizenship or to any lawful status in the United States.
2. On or about January 24, 2003, the defendant was removed from the United States at or near Houston, Texas, pursuant to a valid removal order.
3. On or about March 5, 2005, the defendant was removed from the United States at or near Atlanta, Georgia, pursuant to a valid removal order.
4. On or about October 5, 2007, the defendant was removed from the United States at or near Columbus, Georgia, pursuant to a valid removal order.

5. On or about June 13, 2008, the defendant was removed from the United States at or near Houston, TX, pursuant to a valid removal order.

6. Following his removals, the defendant illegally reentered the United States and was found on or about April 21, 2011, in Prince William County, Virginia, located within the Eastern District of Virginia.

7. At no time prior to the defendant's reentry did the defendant obtain permission from the Attorney General or the Secretary of Homeland Security to reapply for admission to the United States.

8. Prior to his removals on January 24, 2003, March 5, 2005, October 5, 2007, and June 13, 2008, the defendant was convicted in Arlington County, Virginia, of Attempted Distribution of Cocaine, in violation of Virginia Code Section 18.2-57. The defendant was sentenced to a term of three (3) years on or about September 13, 2001.

9. The offense of conviction listed in paragraph 8 above is an "aggravated felony" as that term is defined in Title 8, United States Code, Section 1101(a)(43).


10. This statement of facts includes those facts necessary to support the plea agreement between the defendant and the United States. It does not include each and every fact known to the defendant or to the United States and it is not intended to be a full enumeration of all of the facts surrounding the defendant's case.

11. The actions of the defendant, as recounted above, were in all respects knowing and deliberate, and were not committed by mistake, accident, or other innocent reason.

Respectfully submitted,

Neil H. MacBride
United States Attorney

By:



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February 23, 2012

DEFENDANT'S STIPULATION AND SIGNATURE

After consulting with my counsel, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

February 16, 2012

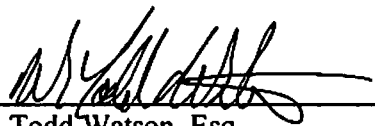


MELVIN ERALDO RAMIREZ
Defendant

DEFENSE COUNSEL'S SIGNATURE

I am the counsel for MELVIN ERALDO RAMIREZ. I have carefully reviewed the above statement of facts with the defendant. To my knowledge, the defendant's decision to stipulate to these facts is informed and voluntary.

February 16, 2012



W. Todd Watson, Esq.
Counsel for the Defendant